IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 21ST DECEMBER 2006 / 30TH AGRAHAYANA 1928

Bail Appl..No. 7550 of 2006()

AGAINST THE ORDER DATED 06/12/2006 IN ORDER IN
CP.NO. 11/05 of J.M.F.C., PARAVOOR & CRL.M.P. NO. 5454/06
OF SESSIONS JUDGE, KOLLAM

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PETITIONER/3RD ACCUSED

SALEESH, S/O. MANI,
VAYALIL THODIYIL VEEDU, KALAKKODU,
BHOOTHAKULAM P.O.

BY ADV. SRI.B.MOHANLAL

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
THE SUB INSPECTOR OF POLICE, PARAVOOR POLICE
STATION, KOLLAM DISTRICT, THROUGH THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. K.S. SIVAKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No.7550 of 2006

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Dated this the 21st day of December, 2006.

ORDER

Petitioners, who is the third accused in Crime No.76 of 2004 of Paravoor Police Station for an offence punishable under Section 366 read with Section 34 I.P.C., seeks anticipatory bail.

2. Admittedly, consequent on the non-appearance of the petitioner in C.P.No.11 of 2005 on the file of the J.F.C.M., Paravoor, non-bailable warrant of arrest is pending against him. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate concerned and file an application for regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed.

With this direction, this application is disposed of.

V.Ramkumar,
Judge.

ess 21/12